

Agricultural Marketing Service
Office of the Deputy Administrator for Marketing Programs
Fruit and Vegetable Programs
PACA Branch
Regional Office
Program Assistant (Office Automation)
GS-303-5/6

Standard Job FV65

I. INTRODUCTION

This position is located in the regional office of the Perishable Agricultural Commodities Act (PACA) Branch. The Branch is responsible for administering the PACA which is designed to prohibit unfair practices in the marketing of fresh and frozen fruits and vegetables.

The incumbent acts as a PACA Program Assistant responsible for serving as secretary and personal assistant to the regional director, as well as performing a variety of technical support duties associated primarily with the processing of informal and formal reparation complaints filed under the PACA. The incumbent assists the marketing assistant and serves as the primary backup when he/she is out of the office.

II. DUTIES AND RESPONSIBILITIES

Receives and logs-in informal reparation complaints filed in the regional office. Reviews correspondence and exhibits to determine if complainant has met all initial requirements under the PACA to establish a legitimate complaint. Advises the complainant as to whether the requirements have been met, and, if not, the additional documentation needed.

Researches files and material submitted by the complainant to compile pertinent information regarding complaints such as the names, addresses, and license status of the parties involved and dates of transactions associated with the complaint. Records and updates information regarding complaint in the Branch database in accordance with established procedures and guidelines.

Advises trade members involved in disputes of their rights and responsibilities under the PACA.

Prepares correspondence for signature by the regional director or his/her designee to the parties involved to establish informal complaints and identify the nature of disputes. Correspondence consists of acknowledgement letters to complainants; first and follow-up letters to respondents; letters to third parties (brokers); letters to complainants regarding the filing of formal complaints; and letters to complainants returning deficient complaints for additional information/documentation. Contact complainants and/or respondents by telephone, if necessary to discuss matters related to complaints and to obtain all required information.

Receives and reviews complaints not resolved in the informal state to determine whether the requirements for processing in the formal state have been met. Based on a thorough knowledge of the statutory provision of the PACA as it relates to the filings of informal and formal complaints, assures that; the correct legal parties are listed, the commodities involved are subject to the Act; the statute of limitations on the alleged violation(s) has not expired; all supporting documents as exhibits relating to the transaction are included; interstate or foreign movement of product is properly supported; damage claims are supported by invoices, bills of lading, or other pertinent documents showing how damages were calculated; damages are mathematically correct; and, that the complaint properly notarized, signed and dated. Formal complaints require an in-depth review of all documentation and differ as to the type of transaction(s) involved. Some formal complaints are based on no-pay situations, while others involve damages based on accountings, market news reports and market decline. The incumbent must be familiar with all types of transactions in order to properly review the formal documents and establish formal complaints.

Assures that formal reparation complaints are complete and meet legal sufficiency. Serves on the appropriate parties copies of complaints, answers, and other filings received in the Regional Office during the processing of documentary procedure and oral hearing cases. Reviews documents filed in formal cases to determine the next step in the process as required by the applicable Rules of Practice. Forwards each case file to Headquarters for subsequent referral of the case file to the Office of General Counsel. Records and updates all steps in the formal handling process in the Branch database.

Receives incoming telephone calls and personal callers which include calls from field officers, other government agencies, and members of industry and the public. Determines the identity of the caller and nature of the call, and screens out calls which can be handled personally by the supervisor's subordinates, or other offices both within and outside the organizational unit.

Makes necessary arrangements for travel of supervisor and as necessary, on basis of brief instructions as to places to be visited, mode of transportation, and approximate time of departures and arrivals preferred. This includes arranging schedule, making plane or train and hotel reservations, notifying organizations and officials to be visited and securing travel authorizations and tickets. Keeps in touch with supervisor as required while he/she is in travel status.

Receives and reads incoming mail including correspondence, reports, instructions, etc., determines and screens out that which the incumbent is authorized to handle, and forwards the rest to supervisors together with necessary background material. Mail taken care of personally includes, but is not limited to preparing replies to non-technical general inquiries such as request for various reports, and assembling data and material concerning reports.

Employee performs a full range of administrative support functions as specified by the Regional Director, such as time and attendance, travel vouchers, monthly reports, procuring and controlling inventory of office supplies, maintaining a log of checks received, and/or processing of accounts payable.

Adheres to Equal Employment and Civil Rights policies, goals and objectives in performing the duties of this position. Assures that written and oral communications are bias-free and that differences of other employees and clients are respected and valued.

III. FACTORS

A. Knowledge Required by the Position:

Thorough familiarity with all rules, regulations, policies, and precedents covering repair complaint handling requirements under the PACA as well as relevant court decisions.

Good working knowledge of the fruit and vegetable industry including but not limited to prevailing trade terms, customs pertinent to the various major commodities, that is, the areas of the country that have commercial production, and the seasons of growing and harvesting for those production areas.

Skill in examining complex documents submitted by industry members in order to determine appropriate action if necessary, respond to the proper parties with accurate information, and make recommendations as to disposition. These documents include, but are not limited to invoices, bills of lading, brokers memoranda of sale, written contracts or statements of company policy, and other business records common to the fruit and vegetable industry.

A thorough working knowledge of the Branch's automated database is required in order to enter, maintain, access, and utilize complaint, license files, and other data in accordance with established procedures and guidelines. Knowledge of all functions of the office is necessary in order to provide suggestions for procedure or policy changes that would increase efficiency.

Skill in operating an electric typewriter and a micro-computer for word processing and related functions to prepare own correspondence when necessary and to prepare information for dissemination to marketing specialists. A qualified typist is required.

B. Supervisory Controls

The incumbent works under the general supervision of the regional director who outlines the general rules and procedures but with latitude so the incumbent may devise methods for carrying out the work within the general framework of these instructions. The incumbent performs the duties of the job independently, personally setting deadlines and solving

problems. Only the most complex problems are referred to the supervisor. Completed work is evaluated for adequacy, appropriateness, and conformance to established policy.

C. Guidelines

Guidelines consist of enabling statutes as well as a variety of Branch, Division, and Agency regulations, policies and procedures. Guidelines also include USDA and court precedent decisions involving contracts, agency, and fair trade practice, as well as bankruptcy laws and various State laws. The incumbent interprets and applies the guidelines to a variety of different situations. The employee adapts the guidelines to specific cases and one-of-a-kind situations. New interpretations and adaptations are discussed with the supervisor or higher graded marketing specialist prior to application. The employee must be able to locate, gain access to, and use all types of publications, studies, trade journals, and other material generated within the food industry to locate potential PACA licensees, and participate in summarizing/resolving reparation complaints.

D. Complexity

The incumbent is exposed to the range of casework in the office. The incumbent must have sufficient knowledge to determine the state at which the file or case requires intervention by the supervisor. The interpretations made by the incumbent require extensive review and knowledge of various documents and procedures common to the industry. In some instances, the determinations are based on considerations of more than one law, and familiarity with all aspects of the fruit and vegetable industry.

E. Scope and Effect

The work product has a direct and substantial impact on fair trade practices in the industry. Large sums of money, and in some cases, the rights of fruit and vegetable traders to engage in business can be affected by decisions rendered.

F. Personal Contacts

Contacts include, in addition to Branch and Fruit and Vegetable Program employees, members of the fruit and vegetable industry and their attorneys and USDA, Federal and State employees. Contacts with the public are sometimes made under adverse conditions, and the incumbent may encounter hostility and occasional aggressive behavior from individuals subject to sanction under the law.

G. Purpose of the Contacts

The purpose is to obtain information and documentation for reparation complaint handling, to expedite formal reparation proceedings, and to advise on status of reparation complaints.

H. Physical Demands

The work is primarily sedentary. This may be some walking, standing, bending and carrying of light items such as books and files.

I. Work Environment

The work is performed in an office setting.

